

RESOLUTION 2004- 110

**A RESOLUTION TO CREATE RURAL IMPROVEMENT
DISTRICT NO. 2004-5 FOR THE CAVE GULCH AREA**

WHEREAS, a resolution of intention to create Rural Improvement District No. 2004-5 was adopted by the Board of County Commissioners on June 29, 2004, as Resolution 2004-89; and

WHEREAS legal notice of the passage of Resolution 2004-89 was mailed to property owners in the proposed district and printed in the local newspaper in accordance with the statutory requirements; and

WHEREAS, on July 22, 2004, the Board of County Commissioners held a public hearing and proceeded to hear all protests, comments, and other matters relating to the proposed district, and determined that the boundaries of the district benefit area and the method of assessment were equitable; and

WHEREAS, it was determined that the two protests received were not valid and that there was not sufficient protest to bar proceedings; said protests constituting 0% of the cost of the proposed work.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby create the Cave Gulch Rural Improvement District No. 2004-5 for the purpose of equitably funding improvements for flood mitigation and the repayment of a loan from the County within said district.

BE IT FURTHER RESOLVED that said district will include those parcels of land shown on Exhibit "A" and listed on Exhibit "B", attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the improvements included the construction of a flood channel through the area, earthwork and road improvements, site reclamation, concrete flood wall construction and other minor work items, and that the district shall be administered by the County.

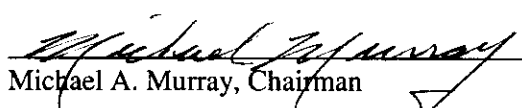
BE IT FURTHER RESOLVED that the annual costs for said improvements are \$3,032.81 for a period of ten (10) years. Each geocode on the list shall benefit equally and shall be assessed a flat fee of approximately \$275.71 annually for said improvements as shown on Exhibit "B". All funds collected for the district shall be spent solely for the Cave Gulch RID.

BE IT FURTHER RESOLVED that if the lot shown on geocode 1890-02-2-02-02-0000 is further divided, the assessments for the district will be recalculated and the annual cost re-spread over all the lots.

BE IT FURTHER RESOLVED that the district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

DATED this 22 day of July, 2004.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Michael A. Murray, Chairman



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ATTEST:


Paulette J. DeHart, Clerk of Board

Attachments: Exhibit "A" & Exhibit "B"

EXHIBIT "A"



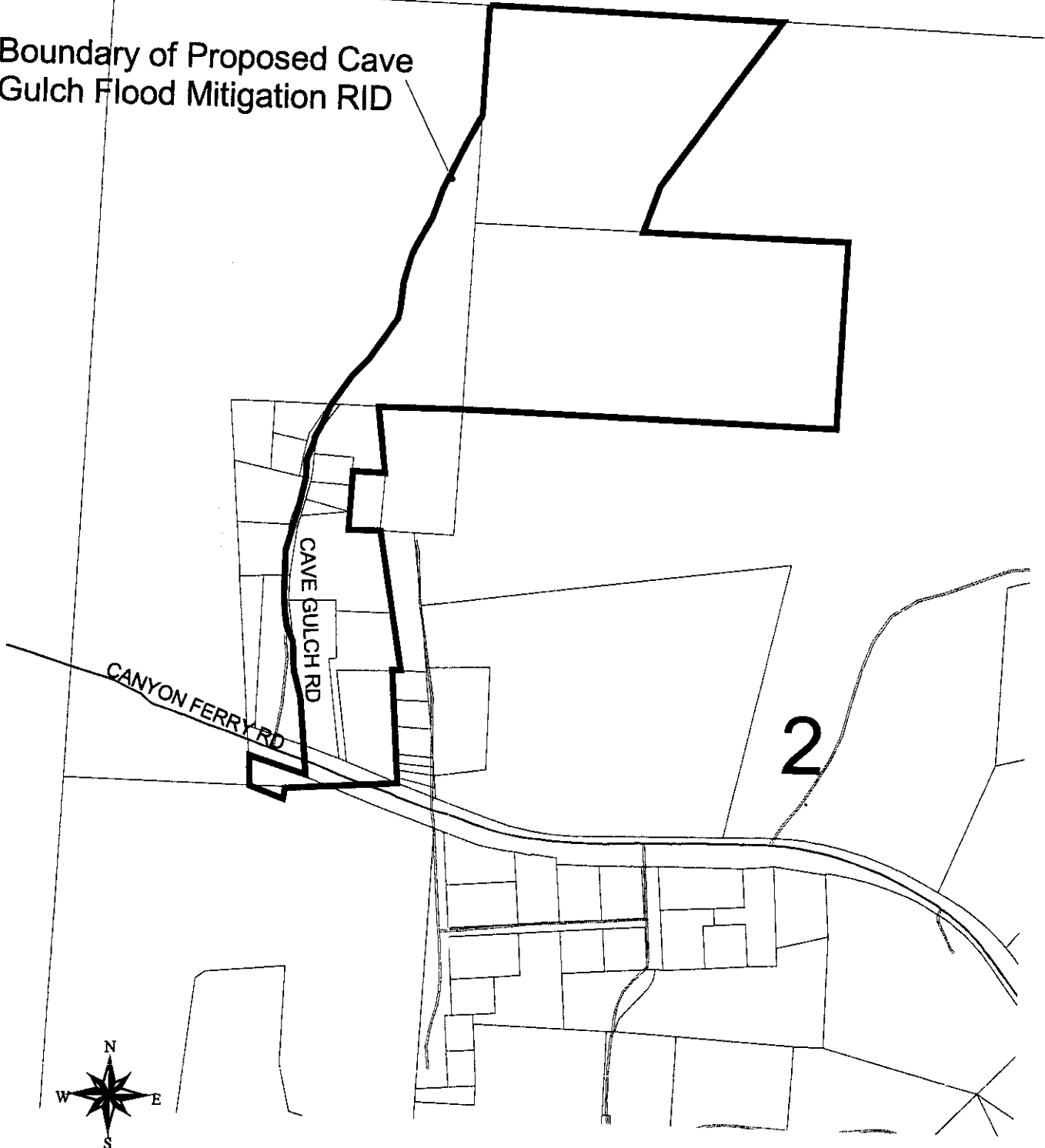
Lewis & Clark County

COUNTY

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Boundary of Proposed Cave
Gulch Flood Mitigation RID



CAVE GULCH RID PROPERTY OWNER LIST			EXHIBIT "B"		RID ASSESSMENT		ASSESSOR	
GEOCODE	PROPERTY OWNER	LEGAL	IMPROVEMENT	CODE				
189002202010000	RAYMOND MARK	TR IN SWNE .47 AC	\$275.71	000014476				
189002204010000	GOULD CLARE M O'MALLEY	CAVE BAY CANYON FERRY 1.63 AC IN SW4NW4	\$275.71	000014409				
189002204050000	BENDER THOMAS J SR & CECELIA F	TR IN SESWNW 1.40 AC	\$275.71	000023284				
189002204300000	OLESON JERRY M	A TRACT IN E2SW4NW4 PER COS #367424	\$275.71	000022875				
189002204320001	RAYMOND VERN & TERRY	2.32 AC SEC 2 T ION R 1W	\$275.71	000022879				
189002204400000	RAYMOND VERN & TERRY	TR IN E2SWNW	\$275.71	000024402				
189002204440000	FISCHER MATTHEW J	TR IN SWNW	\$275.71	000014227				
189002204800000	WALUND LORI	TR B PER C/S #453928/E	\$275.71	000026333				
189002205010000	MOSBY STEVEN W & JERI C & LAMB LARRY E &	IN NENW TRACT A-1 PER COS 579592/B	\$275.71	000014133				
189002301400000	RAYMOND MARK	TR IN NWSW .07 AC	\$275.71	000014018				
189002202020000	WIXSTEN, MOSBY, FISCHER, FRANKLIN	GVT LTS 4 & 5 -- PT OF LAND EXCHANGE W/BLM	\$275.71	000062190				
			\$3,032.81					

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